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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

RAYMOND WRIGHT, an individual and  
resident of Nevada; on behalf of himself and  
all similarly situated individuals,

Plaintiffs,

vs.

JACOB TRANSPORTATION, LLC, a  
Nevada Limited Liability Company, D/B/A  
EXECUTIVE LAS VEGAS,

Defendant.

CASE NO.: 2:15-cv-00056-JAD-GWF  
2:16-cv-02436-JAD-NJK

Hon. Jennifer A. Dorsey

**JOINT STIPULATED DISMISSAL  
PURSUANT TO FED. R. CIV. P  
41(a)(1)(A)(ii) & ORDER**

ECF No. 87

COMES NOW, pursuant to this Court's Order (Dkt. No. 84), Raymond Wright ("Plaintiff" or  
"Wright") and Jacob Transportation, LLC, a Nevada Limited Liability Company, D/B/A Executive  
Las Vegas ("Defendant" or "Jacob"), through their undersigned counsel, file their joint stipulated  
dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii).

WHEREAS, Wright filed his class and collective action on January 12, 2015 alleging willful  
violations of the FLSA and Nevada state wage and hour law. *See Wright Complaint* ("Wright

1 *Compl.*”), Dkt. No. 1 at ¶ 1.<sup>1</sup>

2 WHEREAS, Russell Jenkins, Bobby Copeland, Jose Hernandez, Lionel Tayou, Jack Loeb,  
3 Alemayehu Solomon, Stanley Wierzbicki, Berhanu Negussie, and Raymond Barnes joined the action  
4 as opt-in plaintiffs pursuant to FLSA, 29 U.S.C. § 216(b) (*see* Dkt. Nos. 7, 41-47).

5 WHEREAS, Willie Brown (“Brown”) and Emmett Wallace (“Wallace”) filed their class and  
6 collective action on October 19, 2016 alleging the same willful violations of the FLSA and Nevada  
7 state wage and hour law. *See Brown/Wallace Complaint*, Dkt. No. 1 at ¶ 1.<sup>2</sup>

8  
9 WHEREAS, the Court consolidated the Brown/Wallace Action with the Wright Action *sua*  
10 *sponte*. *See* Wright Action, Dkt. No. 59 and Brown/Wallace Action, Dkt. No. 33.

11 WHEREAS, on January 27, 2017, Jacob filed a motion for partial summary judgment and the  
12 Court granted Jacob’s motion for partial summary judgment as to Wright’s first claim pleading  
13 violations of the FLSA minimum-wage provisions and Wright’s third claim pleading violations of  
14 NRS 608.016 and denied Plaintiffs’ request for relief under Fed. R. Civ. P. 56(b). *See* Wright Action,  
15 Dkt. No. 60.

16  
17 WHEREAS, Opt-in Plaintiffs, Jenkins, Copeland, Hernandez, Tayou, Loeb, Wierzbicki,  
18 Negussie, and Barnes and Wallace and Brown (the consolidated Plaintiffs) filed their Notices of  
19 Withdrawal of Filed Consents to Sue. *See* Wright Action, Dkt. Nos. 65, 69-73, 77.

20 WHEREAS, Opt-in Plaintiff Solomon’s Notice of Withdrawal of Filed Consent to Sue was  
21 inadvertently never filed, but Solomon gave Plaintiffs’ counsel his permission to withdraw his claim  
22 and Consent to Sue on March 23, 2018.

23  
24 WHEREAS, on March 31, 2019, the Court Granted Defendant’s Motion for Summary  
25 Judgment on Plaintiff’s second cause of action for FLSA-overtime violations. *See* Dkt. No. 84. The

26  
27 <sup>1</sup> This action’s case number is 2:15-cv-00056-JAD-GWF (“Wright Action”).

28 <sup>2</sup> This action’s case number is 2:16-cv-02436-JAD-NJK (“Brown/Wallace Action”).

1 Court further ordered the Parties file a Stipulation of Dismissal that complies with Fed. R. Civ. P.  
2 41(a)(1)(A)(ii).

3 WHEREAS, to fix the inadvertent mistake that Opt-in Plaintiff Solomon's Notice of  
4 Withdrawal of Filed Consent to Sue was not filed and further, to comply with the Court's March 31,  
5 2019 Order, on May 29, 2019 Opt-in Plaintiff Solomon filed his Notice of Withdrawal of Filed  
6 Consent to Sue.

7 WHEREAS, the only Plaintiff left in this action is Raymond Wright and the only unresolved  
8 matter is his retaliation claim.

9 WHEREAS, the Parties reached a fair and reasonable compromise and would now like to  
10 resolve and settle all claims and disputes between them according to the settlement terms and  
11 conditions agreed upon by the Parties.  
12

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14 ///

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1 ACCORDINGLY, AND PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii), IT IS  
2 HEREBY STIPULATED AND REQUESTED by and between the Parties in this action, through their  
3 counsel of record, that all remaining claims by Named Plaintiff, Raymond Wright in the above-entitled  
4 action be dismissed with prejudice and without costs and attorneys' fees to any party.

5  
6 **SO STIPULATED.**

7 Dated: May 30, 2019

8 /s/ Molly E. Nephew

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**ORDER**

Based on the parties' stipulation [ECF No. 87] and good cause appearing, IT IS HEREBY ORDERED that THIS ACTION IS DISMISSED with prejudice, each side to bear its own fees and costs. The **Clerk of Court** is directed to **CLOSE THIS CASE**.

  
U.S. District Judge Jennifer A. Dorsey

Dated: May 30, 2019